

United States Court of Appeals  
Fifth Circuit

**FILED**

**February 17, 2004**

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

---

No. 03-30771  
Summary Calendar

---

LAURENT SEGURA,

Plaintiff-Appellant,

versus

JO ANNE B. BARNHART, COMMISSIONER OF SOCIAL SECURITY,

Defendant-Appellee.

-----  
Appeal from the United States District Court  
for the Western District of Louisiana  
USDC No. 02-CV-1018  
-----

Before HIGGINBOTHAM, DAVIS, and PRADO, Circuit Judges.

PER CURIAM:\*

Laurent Segura appeals the district court's judgment affirming the Commissioner of Social Security's denial of disability benefits. He argues that his limited vision in his left eye constitutes a non-exertional impairment that significantly affects his residual functional capacity and as such the Administrative Law Judge erred in relying exclusively upon the Guidelines. He also argues that the ALJ relied on a hypothetical question posed to a

---

\* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

No. 03-30771

-2-

vocational expert which did not incorporate all of his disabilities.

Segura failed to raise the argument that his limited vision is a non-exertional impairment that significantly affects his residual functional capacity in the district court and it is waived. See Chaparro v. Bowen, 815 F.2d 1008, 1011 (5th Cir. 1987). There is no reversible error because the ALJ's hypothetical question incorporated the limitations that he recognized. See Bowling v. Shalala, 36 F.3d 431, 436 (5th Cir. 1994).

AFFIRMED.